# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/665,625 | 09/19/2003 | Robert H. Kummer JR. | F-724 | 6557 |

7590          05/01/2007

Pitney Bowes Inc.
Intellectual Property and Technology Law Dept.
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484

| EXAMINER |
|---|
| VETTER, DANIEL |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3628 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 05/01/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/665,625 | KUMMER ET AL. |
| | Examiner | Art Unit | |
| | Daniel P. Vetter | 3628 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *12 February 2007*.

2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

Claims 1 and 10 have been amended by Applicant in Response filed February

12, 2007. Claims 1-23 are pending in this application.

### Response to Arguments

1.      Applicant's arguments, see pages 8-9, filed February 8, 2007, with respect to

claims 8, 9, 19, and 20 have been fully considered and are persuasive. The rejection of

claims 8, 9, 19, and 20 under 35 U.S.C. § 112, second paragraph has been withdrawn.

2.      Applicant's arguments with respect to claims 1-23 which stand rejected under 35

U.S.C. § 103 have been considered but are moot in view of the new ground(s) of

rejection.

### Claim Rejections - 35 USC § 103

3.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.      Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sansone, et al., U.S. Pat. No. 5,019,991 (Reference A of the PTO-892 part of Paper No.

20061026) in view of Uno, et al., U.S. Pat. No. 5,535,127 (Reference B of the PTO-892

part of Paper No. 20061026), further in view of Bernard, et al., U.S. Pat. No. 5,717,596

(Reference A of the attached PTO-892).

5.      As per claim 1, Sansone, et al. teaches accessing parameters (column 4, line

10); accessing previously stored data corresponding to a second class of service to

which a postage value originally applied to each of said one or more pieces of residual

mail is to be corrected (column 4, line 11); generating a postage correction table from

the parameters and the previously stored data (column 4, lines 10-12; Examiner is

interpreting comparing the parameters with the previously stored data as generating a

table from the parameters and the previously stored data); determining a postage

correction amount for each of said one or more pieces of residual mail based on said

postage correction table (column 4, lines 13-14); and applying said determined postage

correction amount to each of said one or more pieces of residual mail (column 4, lines

14-15, 18-19).  Sansone, et al. does not explicitly teach that the first parameter is a rate

table corresponding to a first class of service used to originally process said one or

more pieces of residual mail and does not explicitly teach that the previously stored data

is a second rate table.  Uno, et al. teaches a first rate table corresponding to a first class

of service used to originally process said one or more pieces of residual mail and a

second rate table (column 14, line 51; column 17, lines 57-61)).  It would have been

prima facie obvious to one having ordinary skill in the art at the time of invention to

incorporate a first rate table corresponding to a first class of service used to originally

process said one or more pieces of residual mail and a second rate table into the

method taught by Sansone, et al. because mail is broadly divided into two types that

have multiple subdivisions (as taught by Uno, et al., column 14, lines 52-64). Sansone,

et al. in view of Uno, et al. does not teach deleting the stored original transaction

information for each of said one or more pieces of residual mail; generating new

transaction information for each of said one or more pieces of residual mail based on

the second class of service; and storing the new transaction information for each of said

one or more pieces of residual mail. Bernard, et al. teaches deleting the stored original

transaction information for each of said one or more pieces of residual mail (column 6,

line 30); generating new transaction information for each of said one or more pieces of

residual mail based on the second class of service (column 6, lines 34-36); and storing

the new transaction information for each of said one or more pieces of residual mail

(column 6, lines 38-39). It would have been prima facie obvious to one having ordinary

skill in the art at the time of invention to incorporate deleting the stored original

transaction information for each of said one or more pieces of residual mail; generating

new transaction information for each of said one or more pieces of residual mail based

on the second class of service; and storing the new transaction information for each of

said one or more pieces of residual mail into the method taught by Sansone, et al. in

view of Uno, et al. to modify incorrect transaction data (as taught by Bernard, et al.;

Abstract).

6.      As per claim 2, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 1 as described above.  Sansone, et al. further teaches determining

a weight of each of said one or more pieces of residual mail (column 3, lines 29-30),

wherein said postage correction amount is based on said weight of each of said one or

more pieces of residual mail (column 4, line 20).

7.      As per claim 3, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 2 as described above.  Uno, et al. further teaches determining one

or more dimensions of each of said one or more pieces of residual mail (column 15,

lines 57-62), wherein said postage correction amount is further based on said one or

more dimensions of each of said one or more pieces of residual mail (column 17, lines

57-58; column 18, lines 16-17).  It would have been prima facie obvious to one having

ordinary skill in the art at the time of invention to incorporate determining one or more

dimensions of each of said one or more pieces of residual mail, wherein said postage

correction amount is further based on said one or more dimensions of each of said one

or more pieces of residual mail into the method taught by Sansone, et al. in view of Uno,

et al. and Bernard, et al. because mail of different sizes have different rates (as taught

by Uno, et al., column 15, Table).

8.      As per claim 4, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 2 as described above.  The postage correction table as taught by

Sansone, et al. does not explicitly teach a plurality of weight breaks and a plurality of

corresponding postage correction rates.  Uno, et al. further teaches a plurality of weight

breaks and a plurality of corresponding postage correction rates (column 15, Table).  It

would have been prima facie obvious to one having ordinary skill in the art at the time of

invention to incorporate a plurality of weight breaks and a plurality of corresponding

postage correction rates into the method taught by Sansone, et al. in view of Uno, et al.

and Bernard, et al. because mail of different weights have different rates (as taught by

Uno, et al., column 15, Table).

9.      As per claim 5, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 2 as described above.  Sansone, et al. further teaches calculating a

difference being said postage correction rate for said weight break (column 6, lines 30-

37).  Sansone, et al. does not explicitly teach for each of said weight breaks, the

difference being between a first corresponding rate from said second rate table and a

second corresponding rate from said first rate table.  Uno, et al. teaches for each of said

weight breaks, the difference being between a first corresponding rate from said second

rate table and a second corresponding rate from said first rate table (Fig. 36; column 15,

Table).  It would have been prima facie obvious to one having ordinary skill in the art at

the time of invention to incorporate for each of said weight breaks, the difference being

between a first corresponding rate from said second rate table and a second

corresponding rate from said first rate table into the method taught by Sansone, et al. in

view of Uno, et al. and Bernard, et al. because mail of different weights have different

rates (as taught by Uno, et al., column 15, Table).

10.     As per claim 6, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 3 as described above. The postage correction table as taught by

Sansone, et al. does not explicitly teach a plurality of weight breaks and a plurality of

corresponding postage correction rates and dimension based charges. Uno, et al.

further teaches a plurality of weight breaks and a plurality of corresponding postage

correction rates and dimension based charges (column 15, Table). It would have been

prima facie obvious to one having ordinary skill in the art at the time of invention to

incorporate a plurality of weight breaks and a plurality of corresponding postage

correction rates and dimension based charges into the method taught by Sansone, et

al. in view of Uno, et al. and Bernard, et al. because mail of different weights and

dimensions have different rates (as taught by Uno, et al., column 15, Table).

11.     As per claim 7, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 6 as described above. Sansone, et al. further teaches calculating a

difference being said postage correction rate for said weight break (column 6, lines 30-

37). Sansone, et al. does not explicitly teach for each of said weight breaks, the

difference being between a first corresponding rate from said second rate table and a

second corresponding rate from said first rate table and a second difference between a

first corresponding dimension based charge from said second rate table and a second

corresponding dimension based charge from said first rate table, said second difference

being said dimension based charge for said weight break. Uno, et al. teaches for each

of said weight breaks, the difference being between a first corresponding rate from said

second rate table and a second corresponding rate from said first rate table and a

second difference between a first corresponding dimension based charge from said

second rate table and a second corresponding dimension based charge from said first

rate table, said second difference being said dimension based charge for said weight

break (column 15, Table). It would have been prima facie obvious to one having

ordinary skill in the art at the time of invention to incorporate for each of said weight

breaks, the difference being between a first corresponding rate from said second rate

table and a second corresponding rate from said first rate table and a second difference

between a first corresponding dimension based charge from said second rate table and

a second corresponding dimension based charge from said first rate table, said second

difference being said dimension based charge for said weight break into the method

taught by Sansone, et al. in view of Uno, et al. and Bernard, et al. because mail of

different weights and dimensions have different rates (as taught by Uno, et al., column 15, Table).

12.        As per claim 8, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches the method of claim 5 as described above.  Sansone, et al. further teaches the calculating step setting said postage correction rate equal to zero if said difference is negative (column 5, lines 14-18).  Examiner is interpreting sending a confirmation if the postage is correct as setting the correction rate equal to zero.

13.        As per claim 9, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches the method of claim 7 as described above.  Sansone, et al. further teaches setting said postage correction rate equal to zero if said first difference is negative (column 5, lines 14-18).  Examiner is interpreting sending a confirmation if the postage is correct as setting the correction rate equal to zero.  Sansone, et al. does not explicitly teach setting said dimension based charge equal to zero if said second difference is negative.  Uno, et al. teaches setting said dimension based charge equal to zero if said second difference is negative (column 17, line 57 – column 18, line 21).  It would have been prima facie obvious to incorporate setting said dimension based charge equal to zero if said second difference is negative into the method taught by Sansone, et al. in view of Uno, et al. and Bernard, et al. because mail of different weights and dimensions have different rates (as taught by Uno, et al., column 15, Table).

14.    As per claim 10, Sansone, et al. teaches a mail processing system, comprising: a

metering/printing module for applying postage values to one or more pieces of mail

(column 3, lines 50-51); a central processing unit controlling operation of said

metering/printing module (column 3, line 59); and a memory storing information

including original transaction information for said one or more pieces of mail that are

originally processed by the mail processing system using a first class of service (column

4, lines 10-11), and software executable by said central processing unit (column 3, line

60), said software including instructions for accessing parameters (column 4, line 10);

accessing previously stored data corresponding to a second class of service to which a

postage value originally applied to each of said one or more pieces of residual mail is to

be corrected (column 4, line 11); generating a postage correction table from the

parameters and the previously stored data (column 4, lines 10-12; Examiner is

interpreting comparing the parameters with the previously stored data as generating a

table from the parameters and the previously stored data); determining a postage

correction amount for each of said one or more pieces of residual mail based on said

postage correction table (column 4, lines 13-14); causing said metering/printing module

to apply said determined postage correction amount to one of each of said one or more

pieces of residual mail (column 3, lines 59-64; column 4, lines 14-15, 18-19).  Sansone,

et al. does not explicitly teach that the first parameter is a rate table corresponding to

the first class of service used to originally process said one or more pieces of residual

mail and does not explicitly teach that the previously stored data is a second rate table.

Uno, et al. teaches a first rate table corresponding to the first class of service used to

originally process said one or more pieces of residual mail and a second rate table

(column 14, line 51; column 17, lines 57-61)). It would have been prima facie obvious to

one having ordinary skill in the art at the time of invention to incorporate a first rate table

corresponding to a first class of service used to originally process said one or more

pieces of residual mail and a second rate table into the system taught by Sansone, et al.

because mail is broadly divided into two types that have multiple subdivisions (as taught

by Uno, et al., column 14, lines 52-64). Sansone, et al. in view of Uno, et al. does not

teach deleting the stored original transaction information for each of said one or more

pieces of residual mail; generating new transaction information for each of said one or

more pieces of residual mail based on the second class of service; and storing the new

transaction information for each of said one or more pieces of residual mail. Bernard, et

al. teaches deleting the stored original transaction information for each of said one or

more pieces of residual mail (column 6, line 30); generating new transaction information

for each of said one or more pieces of residual mail based on the second class of

service (column 6, lines 34-36); and storing the new transaction information for each of

said one or more pieces of residual mail (column 6, lines 38-39). It would have been

prima facie obvious to one having ordinary skill in the art at the time of invention to

incorporate deleting the stored original transaction information for each of said one or

more pieces of residual mail; generating new transaction information for each of said

one or more pieces of residual mail based on the second class of service; and storing

the new transaction information for each of said one or more pieces of residual mail into

the method taught by Sansone, et al. in view of Uno, et al. to modify incorrect

transaction data (as taught by Bernard, et al.; Abstract).

15.     As per claim 11, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 10 as described above.  Sansone, et al. further teaches a weighing

module for weighing one or more mail pieces, said weighing module being controlled by

said central processing unit, said software further including instructions for determining

a weight for said one or more pieces of residual mail using said weighing module,

(column 3, lines 59-60), wherein said postage correction amount is based on said

weight of each of said one or more pieces of residual mail (column 4, line 20).

16.     As per claim 12, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 11 as described above.  The postage correction table as taught by

Sansone, et al. does not explicitly teach a plurality of weight breaks and a plurality of

corresponding postage correction rates.  Uno, et al. further teaches a plurality of weight

breaks and a plurality of corresponding postage correction rates (column 15, Table).  It

would have been prima facie obvious to one having ordinary skill in the art at the time of

invention to incorporate a plurality of weight breaks and a plurality of corresponding

postage correction rates into the system taught by Sansone, et al. in view of Uno, et al.

and Bernard, et al. because mail of different weights have different rates (as taught by

Uno, et al., column 15, Table).

17.     As per claim 13, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 12 as described above.  Sansone, et al. further teaches instructions

for calculating a difference being said postage correction rate for said weight break

(column 6, lines 30-37).  Sansone, et al. does not explicitly teach for each of said weight

breaks, the difference being between a first corresponding rate from said second rate

table and a second corresponding rate from said first rate table.  Uno, et al. teaches for

each of said weight breaks, the difference being between a first corresponding rate from

said second rate table and a second corresponding rate from said first rate table (Fig.

36; column 15, Table).  It would have been prima facie obvious to one having ordinary

skill in the art at the time of invention to incorporate for each of said weight breaks, the

difference being between a first corresponding rate from said second rate table and a

second corresponding rate from said first rate table into the system taught by Sansone,

et al. in view of Uno, et al. and Bernard, et al. because mail of different weights have

different rates (as taught by Uno, et al., column 15, Table).

18.     As per claim 14, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 11 as described above.  Uno, et al. further teaches a dimensioning

module for determining one or more dimensions of a mail piece said dimensioning

module being controlled by said central processing unit (column 4, line 56 - column 5,

line 8, 21-22), said software further including instructions for determining one or more

dimensions for said one or more pieces of residual mail using said dimensioning module

(column 5, lines 22-24; column 15, lines 57-64), wherein said postage correction

amount is further based on said one or more dimensions of each of said one or more

pieces of residual mail (column 17, lines 57-58; column 18, lines 16-17).  It would have

been prima facie obvious to one having ordinary skill in the art at the time of invention to

incorporate determining one or more dimensions of each of said one or more pieces of

residual mail, wherein said postage correction amount is further based on said one or

more dimensions of each of said one or more pieces of residual mail into the system

taught by Sansone, et al. in view of Uno, et al. and Bernard, et al. because mail of

different sizes have different rates (as taught by Uno, et al., column 15, Table).

19.     As per claim 15, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 14 as described above.  Uno, et al. further teaches the

dimensioning module comprising an array of sensors (column 4, lines 30-33).  It would

have been prima facie obvious to one having ordinary skill in the art at the time of

invention to incorporate the dimensioning module comprising an array of sensors into

the system taught by Sansone, et al. in view of Uno, et al. and Bernard, et al. because

sensors are used to measure thickness and outer dimensions (as taught by Uno, et al.,

column 4, lines 30-33).

20.     As per claim 16, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 15 as described above.  Uno, et al. further teaches the sensors

being optical sensors (column 4, line 33).  It would have been prima facie obvious to

one having ordinary skill in the art at the time of invention to incorporate the sensors

being optical sensors into the system taught by Sansone, et al. in view of Uno, et al. and

Bernard, et al. in order to sense the postal indicia impression (as taught by a Uno, et al.,

column 4, line 34).

21.     As per claim 17, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 14 as described above.  The postage correction table as taught by

Sansone, et al. does not explicitly teach a plurality of weight breaks and a plurality of

corresponding postage correction rates and dimension based charges.  Uno, et al.

further teaches a plurality of weight breaks and a plurality of corresponding postage

correction rates and dimension based charges (column 15, Table).  It would have been

prima facie obvious to one having ordinary skill in the art at the time of invention to

incorporate a plurality of weight breaks and a plurality of corresponding postage

correction rates and dimension based charges into the system taught by Sansone, et al.

in view of Uno, et al. and Bernard, et al. because mail of different weights and

dimensions have different rates (as taught by Uno, et al., column 15, Table).

22.     As per claim 18, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 17 as described above.  Sansone, et al. further teaches instructions

for calculating a difference being said postage correction rate for said weight break

(column 6, lines 30-37).  Sansone, et al. does not explicitly teach for each of said weight

breaks, the difference being between a first corresponding rate from said second rate

table and a second corresponding rate from said first rate table and a second difference

between a first corresponding dimension based charge from said second rate table and

a second corresponding dimension based charge from said first rate table, said second

difference being said dimension based charge for said weight break.  Uno, et al.

teaches for each of said weight breaks, the difference being between a first

corresponding rate from said second rate table and a second corresponding rate from

said first rate table and a second difference between a first corresponding dimension

based charge from said second rate table and a second corresponding dimension

based charge from said first rate table, said second difference being said dimension

based charge for said weight break (column 15, Table).  It would have been prima facie

obvious to one having ordinary skill in the art at the time of invention to incorporate for

each of said weight breaks, the difference being between a first corresponding rate from

said second rate table and a second corresponding rate from said first rate table and a

second difference between a first corresponding dimension based charge from said

second rate table and a second corresponding dimension based charge from said first

rate table, said second difference being said dimension based charge for said weight

break into the system taught by Sansone, et al. in view of Uno, et al. and Bernard, et al.

because mail of different weights and dimensions have different rates (as taught by

Uno, et al., column 15, Table).

23.    As per claim 19, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 13 as described above. Sansone, et al. further teaches the

calculating step setting said postage correction rate equal to zero if said difference is

negative (column 5, lines 14-18). Examiner is interpreting sending a confirmation if the

postage is correct as setting the correction rate equal to zero.

24.    As per claim 20, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the system of claim 13 as described above. Sansone, et al. further teaches setting said

postage correction rate equal to zero if said first difference is negative (column 5, lines

14-18). Examiner is interpreting sending a confirmation if the postage is correct as

setting the correction rate equal to zero. Sansone, et al. does not explicitly teach setting

said dimension based charge equal to zero if said second difference is negative. Uno,

et al. teaches setting said dimension based charge equal to zero if said second

difference is negative (column 17, line 57 – column 18, line 21). It would have been

prima facie obvious to incorporate setting said dimension based charge equal to zero if

said second difference is negative into the system taught by Sansone, et al. in view of

Uno, et al. and Bernard, et al. because mail of different weights and dimensions have

different rates (as taught by Uno, et al., column 15, Table).

25.      As per claim 21, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches

the method of claim 1 as described above. Sansone, et al. further teaches receiving

mail parameters teaches (column 4, line 10), but does not explicitly teach that these

parameters include a first class of service used to originally process said one or more

pieces of residual mail; and accessing a first rate table corresponding to the received

first class of service. Uno, et al. teaches a first class of service used to originally

process said one or more pieces of residual mail; and accessing a first rate table

corresponding to the received first class of service (Fig. 36; column 15, lines 1-2,

Table). It would have been prima facie obvious to one having ordinary skill in the art to

incorporate a first class of service used to originally process said one or more pieces of

residual mail; and accessing a first rate table corresponding to the received first class of

service into the method taught by Sansone, et al. in view of Uno, et al. and Bernard, et

al. because different classes of mail have different rates (as taught by Uno, et al., Fig. 36).

26.    As per claim 22, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches the method of claim 21 as described above. Sansone, et al. further teaches accessing previously stored data to which a postage value originally applied to each of said one or more pieces of residual mail is to be corrected (column 4, lines 10-14), but does not explicitly teach that the data includes a second class of service; and a second rate table corresponding to the received second class of service. Uno, et al. teaches a second class of service and a second rate table corresponding to the received second class of service (Fig. 36). It would have been prima facie obvious to one having ordinary skill in the art the time of invention to incorporate a second class of service and a second rate table corresponding to the received second class of service into the method taught by Sansone, et al. in view of Uno, et al. and Bernard, et al. because different classes of mail have different rates (as taught by Uno, et al., Fig. 36).

27.    As per claim 23, Sansone, et al. in view of Uno, et al. and Bernard, et al. teaches the system of claim 10 as described above. Uno, et al. further teaches said first rate table and said second rate table are stored in said memory (column 5, lines 37-40; column 15, Table). It would have been prima facie obvious to one having ordinary skill in the art the time of invention to incorporate said first rate table and said second rate

table are stored in said memory into the system taught by Sansone, et al. in view of

Uno, et al. and Bernard, et al. because mail of different weights and dimensions have

different rates (as taught by Uno, et al., column 15, Table).

28.     Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP

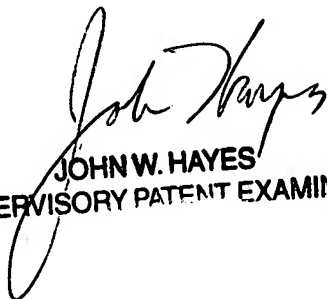§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

29.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-

1366. The examiner can normally be reached on Monday through Thursday from 8am

to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner' s supervisor, John Hayes can be reached on (571) 272-6708.  The fax

phone number for the organization where this application or proceeding is assigned is

571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER